S.B.Cr.Misc. Bail Appli. No.4442/2007
(Saffi Mohd. vs. State of Rajasthan)

Date of order : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.P.R.Mehta, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that though a huge quantity of Sagwan Wood was recovered from a truck of which the petitioner is registered owner, but it cannot be said that it was stolen from various areas.

Learned Public Prosecutor has shown me the police investigation diary.

It appears that the petitioner is registered owner of the truck, in which a huge quantity of Sagwan Wood i.e. 216 logs alleged to have been found transporting and the petitioner by

seeing the police party, fled away. However, on being asked to the driver of the truck viz. Dadd Mohammed about valid permit of transporting the woods and bills, he failed to show any document. Thus, prima facie there is evidence that the forest wood Sagwan, from various areas, which was found transporting in the truck was stolen wood. Earlier also, a similar case has been registered against the petitioner. In the circumstances, therefore, in my view, it is not a fit case to grant anticipatory bail to the petitioner, on the contrary, a custodial interrogation in such matters is necessary.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-